

TITLE 16 BOARD OF BEHAVIORAL SCIENCES DEPARTMENT OF CONSUMER AFFAIRS

NOTICE IS HEREBY GIVEN that the Board of Behavioral Sciences (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments in writing relevant to the action.

Written comments must be received by the Board at its office by mail at 400 R Street, Suite 3150, Sacramento, CA 95814, by e-mail at BBSWebMaster@bbs.ca.gov, or by fax at 916-323-0707, not later than 5:00 p.m. on May 6, 2002.

The Board does not intend to hold a hearing on this matter. If any interested party wishes that a hearing be held, he or she must make the request in writing to the Board. The request must be received in the Board office no later than 15 days prior to the close of the written comment period.

The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 137, 650.4, 4980.60 and 4990.14 of the Business and Professions Code, and to implement, interpret or make specific Sections 137, 4980.44, and 4996.18 of said Code, the Board is considering changes to Division 18 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/ POLICY STATEMENT OVERVIEW

Regulation Section 1811 outlines the advertising requirements for Marriage, Family, and Child Counselors, Licensed Educational Psychologists, Licensed Clinical Social Workers, Registered Professional Corporations, Registered Marriage, Family, and Child Counselor Referral Services, and Marriage, Family, and Child Counselor Registered Interns when advertising in directories and advertisements. The Board has realized that the requirements for Associate Clinical Social Workers were inadvertently left out. Additionally, pursuant to Assembly Bill 1677, Chapter 677, Statutes of 1999, the Board no longer registers professional corporations.

This proposal would add the requirements for associate clinical social workers who publicize their services in advertisements and directories and would remove the reference to requirements for professional corporations.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact:

The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

AND

The following studies/relevant data were relied upon in making the above determination: None

Impact on Jobs/New Businesses:

The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impacts on Representative Private Persons or Businesses: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed regulatory action.

Effect on Housing Costs: The Board has made an initial determination that the proposed regulatory action would have no significant effect on housing costs.

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulatory action would not affect small businesses as this proposed regulatory action would merely delineate the advertising requirements for associate clinical social workers and would delete an obsolete reference to professional corporations as these corporations are no longer regulated by the Board.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative which it considered or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as

effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments in writing relevant to the above determinations to the above-mentioned address.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an Initial Statement of Reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the Initial Statement of Reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board of Behavioral Sciences at 400 R Street, Suite 3150, Sacramento, California 95814.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the Final Statement of Reasons once it has been prepared, by making a written request to the contact person named below.

CONTACT PERSON

Inquiries concerning the proposed administrative action may be addressed to Julie McAuliffe at the above address or at (916) 445-4933, extension 1142.

The backup contact person is Sherry Mehl (916) 445-4933. The person designated to respond to questions on the substance of the regulatory proposal is Julie McAuliffe (916) 445-4933, extension 1142.

Website Access: Materials regarding this proposal can be found at www.bbs.ca.gov